[COMMITTEE PRINT]

RULES GOVERNING PROCEDURE

OF THE

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

U.S. HOUSE OF REPRESENTATIVES

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CONTENTS

	Page
General	1
Committee Meetings	1
Time and Place	1
Vice Chairman to Preside in Absence of Chairman	1
Order of Business	2
Membership	2
Special Meetings	2
Committee Procedures	2
Quorum	2
Proxies	2
Witnesses	3
Investigative Hearing Procedures	3
Subject Matter	3
Open Meetings	3
Requests for Rollcall Votes	4
Committee Records	4
Publication of Committee Hearings and Mark-ups	5
Opening Statements; 5-Minute Rule	5
Requests for Written Motions	5
Subcommittees	5
Structure and Jurisdiction	5
Referral of Legislation	7
Ex Officio Members	7
Procedures	7
Power to Sit and Act; Subpoena Power	8
National Security Information	8
Sensitive or Confidential Information Received Pursuant to Subpoena	8
Reports	8
Substance of Legislative Reports	8
Minority and Additional Views	9
Consideration of Subcommittee Reports	10
Timing and Filing of Committee Reports	10
Media Coverage	11
Legislative and Oversight Jurisdiction of the Committee on Science, Space, and Technology	12

GENERAL

1. The Rules of the House of Representatives, as applicable, shall govern the committee and its subcommittees. The rules of the committee, as applicable, shall be the rules of its subcommittees except that a motion to recess from day to day and a motion to dispense with the first reading (in full) of a bill or resolution, if printed copies are available, are nondebatable motions of high privilege in the committee.

COMMITTEE MEETINGS

Time and Place

2. Unless dispensed with by the Chairman, the meetings of the committee shall be held on the 2nd and 4th Wednesday of each month the House is in session at 10:00 a.m. and at such other times and in such places as the Chairman may designate.

3. The Chairman of the committee may convene as necessary additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business.

*4. The committee shall make public announcement of the date, time, place and subject matter of any of its hearings at least one week before the commencement of the hearing. If the Chairman determines that there is good cause to begin the hearing sooner, he shall make the announcement at the earliest possible date. Any announcement made under this subparagraph shall be promptly published in the Daily Digest, and promptly entered into the scheduling service of the House Information Systems.

*5. The committee may sit while the House is reading a measure for amendment under the 5-minute rule, provided 10 or more Members on the House floor do not object when special leave for such committee or subcommittee to sit is requested.

Vice Chairman to Preside in Absence of Chairman

*6. The Member of the majority party on the Committee ranking immediately after the Chairman shall be the Vice Chairman of the Committee and shall preside at any meeting during the temporary absence of the Chairman. If the Chairman and Vice Chairman of the committee are not present at any meeting of the committee, the ranking Member of the majority party on the committee who is present shall preside.

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* Indicates rules applicable to subcommittees.

Order of Business

*7. The order of business and procedure of the committee and the subjects of inquiries or investigations will be decided by the Chairman, subject always to an appeal to the committee.

Membership

8. A majority of the majority Members of the committee shall determine an appropriate ratio of majority to minority Members for each subcommittee and shall authorize the Chairman to negotiate that ratio with the minority party; *Provided, however,* that party representation on each subcommittee (including any ex-officio Members) shall be no less favorable to the majority party than the ratio for the full committee. *Provided, further,* that recommendations of conferees to the Speaker shall provide a ratio of majority party Members to minority party Members which shall be no less favorable to the majority party than the ratio for the full committee.

Special Meetings

9. Rule XI 2(c)(2) of the Rules of the House of Representatives is hereby incorporated by reference (Special Meetings).

COMMITTEE PROCEDURES

Quorum

*10. One-third of the Members of the committee shall constitute a quorum for all purposes except that a majority must be present in order to: (1) report or table any legislation, measure or matter; (2) close committee meetings or hearings; or (3) authorize the issuance of subpoenas.

*11. The number of Members to constitute a quorum for taking testimony and receiving evidence shall not be less than two and, unless waived by the Chairman of the full committee after consultation with the Ranking Republican Member of the full committee, shall include at least one member from each of the majority and minority parties.

Proxies

*12. Any Member may authorize a vote by proxy with respect to any measure or matter before the committee. Such proxy authorization shall be in writing, shall assert that the Member is absent on official business or is otherwise unable to be present at the meeting of the committee, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto; except that a Member may authorize a general proxy only for motions to recess, adjourn, or other procedural matters. Each proxy to be effective shall be signed by the Member assigning his or her vote, filed with the committee clerk, and shall contain the date and time of day that the proxy is signed. Proxies may not be counted for a quorum.

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* Indicates rules applicable to subcommittees.

Witnesses

*13. The committee shall, insofar as is practicable, require each witness who is to appear before it to file with the committee (in advance of his or her appearance) a written statement of the proposed testimony and to limit the oral presentation to a five-minute summary of his or her statement, provided that additional time may be granted by the Chairman when appropriate.

*14. Whenever any hearing is conducted by the committee on any measure or matter, the minority Members of the committee shall be entitled, upon request to the Chairman by a majority of them before the completion of the hearing, to call witnesses selected by the minority to testify with respect to the measure or matter during at least one day of hearing thereon.

Investigative Hearing Procedures

*15. Rule XI 2(k) of the Rules of the House of Representatives is hereby incorporated by reference (rights of witnesses under subpoena).

Subject Matter

*16. Bills and other substantive matters may be taken up for hearing only when called by the Chairman of the committee or by a majority vote of a quorum of the committee, except those matters which are the subject of special-call meetings outlined in Rule 9.

*17. No private bill will be reported by the committee if there are two or more dissenting votes. Private bills so rejected by the committee will not be reconsidered during the same Congress unless new evidence sufficient to justify a new hearing has been presented to the committee.

*18. (a) It shall not be in order for the committee to consider any new or original measure or matter unless written notice of the date, place and subject matter of consideration and to the extent practicable, a written copy of the measure or matter to be considered, has been available in the office of each Member of the committee for at least three calendar days in advance of consideration, excluding Saturdays, Sundays and legal holidays.

(b) Notwithstanding the foregoing sections of this rule, consideration of any legislative measure or matter by the committee shall be in order by vote of two-thirds of the Members present, provided that a majority of the committee is present.

Open Meetings

*19. Each meeting for the transaction of business, including the markup of legislation, of the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of the meeting on that day shall be closed to the public. No person other than Members of the committee and such congressional staff and such departmental representatives as they may authorize shall be present at any business or markup session which has been closed to the public. This paragraph does not apply to open

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* Indicates rules applicable to subcommittees.

committee hearings which are provided for by Rule 20 contained herein, or to any meeting that relates solely to internal budget or personnel matters.

*20. Each hearing conducted by the committee shall be open to the public except when the committee, in open session and with a quorum present, determines by rollcall vote that all or part of the remainder of that hearing on that day shall be closed to the public because disclosure of testimony, evidence or other matters to be considered would endanger the national security or would violate any law or rule of the House of Representatives. Notwithstanding the requirements of the preceding sentence, and Rule 10, a majority of those present, there being in attendance the requisite number required under the rules of the committee to be present for the purpose of taking testimony:

(A) may vote to close the hearing for the sole purpose of discussing whether testimony or evidence to be received would endanger the national security or violate Rule XI 2(k)(5) of the Rules of the House of Representatives; or

(B) may vote to close the hearing, as provided in Rule XI 2(k)(5) of the Rules of the House of Representatives. No Member may be excluded from nonparticipatory attendance at any hearing of any committee or subcommittee, unless the House of Representatives shall by majority vote authorize a particular committee or subcommittee, for purposes of a particular series of hearings on a particular article of legislation or on a particular subject of investigation, to close its hearings to Members by the same procedures designated in this subparagraph for closing hearings to the public: *Provided, however,* that the committee or subcommittee may by the same procedure vote to close one subsequent day of hearing.

Requests for Rollcall Votes

21. A rollcall vote of the Members may be had at the request of three or more Members.

Committee Records

*22(a). The committee shall keep a complete record of all committee action which shall include a record of the votes on any question on which a rollcall vote is demanded. The result of each rollcall vote shall be made available by the committee for inspection by the public at reasonable times in the offices of the committee. Information so available for public inspection shall include a description of the amendment, motion order or other proposition and the name of each Member voting for and each Member voting against such amendment, motion, order or proposition, and the names of those Members present but not voting.

(b) The records of the committee at the National Archives and Records Administration shall be made available for public use in accordance with Rule XXXVI of the Rules of the House of Representatives. The Chairman shall notify the ranking minority Member of any decision, pursuant to clause 3(b)(3) or clause 4(b) of

* Indicates rules applicable to subcommittees.

the rule, to withhold a record otherwise available, and the matter shall be presented to the committee for a determination on the written request of any Member of the committee.

Publication of Committee Hearings and Mark-Ups

*23. The transcripts of those hearings conducted by the committee which are decided to be printed will be published in verbatim form, with the material requested for the record inserted at that place requested, or at the end of the record, as appropriate.

Any requests by those Members, staff or witnesses to correct any errors, other than errors in transcription, or disputed errors in transcription, will be appended to the record, and the appropriate place where the change is requested will be footnoted.

Prior to approval by the Chairman of hearings conducted jointly with another Congressional committee, a memorandum of understanding will be prepared which incorporates an agreement for the publication of the verbatim transcript.

Transcripts of mark-ups shall be recorded and published in the same manner as hearings before the committee.

Opening Statements; 5-Minute Rule

*24. Insofar as is practicable, the Chairman, after consultation with the Ranking Republican Member, shall limit the total time of opening statements by Members to no more than 20 minutes, the time to be divided equally among Members present desiring to make an opening statement. The time any one Member may address the committee on any bill, motion or other matter under consideration by the committee or the time allowed for the questioning of a witness at hearings before the committee will be limited to five minutes, and then only when the Member has been recognized by the Chairman, except that this time limit may be waived by the Chairman or acting Chairman. The rule of germaneness will be enforced by the Chairman.

Requests for Written Motions

*25. Any legislative or non-procedural motion made at a regular or special meeting of the committee and which is entertained by the Chairman shall be presented in writing upon the demand of any Member present and a copy made available to each Member present.

SUBCOMMITTEES

Structure and Jurisdiction

26. The committee shall have the following standing subcommittees with the jurisdiction indicated.

(a) ***Subcommittee on Investigations and Oversight.***—Review and study, on a continuing basis, of the application, administration, execution, and effectiveness of those laws, or parts of laws, the subject matter of which is within the jurisdiction of the committee and the organization and operation of the Federal and private agencies and entities having responsibilities in or for the administration and

*Indicates rules applicable to subcommittees.

execution thereof, in order to determine whether such laws and the programs thereunder are being implemented and carried out in accordance with the intent of the Congress. In addition, the Subcommittee on Investigations and Oversight and the appropriate subcommittee with legislative authority may cooperatively review and study any conditions or circumstances which indicate the necessity or desirability of enacting new or additional legislation within the jurisdiction of the committee, and may undertake futures research and forecasting on matters within the jurisdiction of the committee. The Subcommittee on Investigations and Oversight shall in no way limit the responsibility of other subcommittees from carrying out their oversight responsibilities, nor shall any investigation be undertaken by the Subcommittee on Investigations and Oversight without (a) consultation with the Chairman of the appropriate subcommittee with legislative authority and (b) approval of the Chairman of the committee.

(b) ***Subcommittee on Environment.***—Legislation, general and special oversight and all other matters relating to natural resources and environmental research, development and demonstration (RD&D), including RD&D activities of the Environmental Protection Agency; energy RD&D programs relating to energy conservation, solar, renewable and other non-fossil and non-nuclear energy sources; transportation programs of the Department of Energy; operational activities and RD&D related to weather, aviation weather services, climate, and the atmosphere; those ocean RD&D activities of the National Oceanic and Atmospheric Administration related to the quality and management of the environment; operations of earth observing systems; international environmental RD&D including global climate research; and, to the extent appropriate, agriculture research, environmental health, safety, life sciences, pharmaceutical, medical, and biotechnology activities of Executive departments and agencies.

(c) ***Subcommittee on Energy.***—Legislation, general and special oversight and all other matters relating to RD&D, and projects therefor, involving fossil fuels, nuclear fission and the nuclear fuel cycle; nuclear fusion; all federally owned or operated nonmilitary energy laboratories, basis energy sciences; high energy and nuclear physics; advanced energy technology; and uranium enrichment and waste management activities, as appropriate.

(d) ***Subcommittee on Science.***—Legislation, general and special oversight of science policy, the role of basic research in economic competitiveness, and all other matters relating to the National Science Foundation; science and research matters in the Office of Science and Technology Policy and the Office of Technology Assessment; scientific research, development, and applications; scientific and engineering resources (including manpower); math, science and engineering education; international scientific cooperation; computer science, engineering, networks, and data bases; RD&D relating to government health, nutritional, handicapped, earthquake, and fire programs; intergovernmental mechanisms for RD&D; geographic distribution of Federal RD&D; university research policy, including infrastructure, overhead, and partnerships; and the effect of tax policy on research.

(e) ***Subcommittee on Technology and Competitiveness.***—Legislation, general and special oversight and all other matters relating to the Technology Administration in the Department of Commerce, including the National Institute of Standards and Technology and the National Technical Information Service: technology policy; technology matters in the Office of Science and Technology Policy; technology assessment, including the Office of Technology Assessment; technology transfer; innovation and industrial RD&D; productivity and competitiveness, including small business competitiveness; patent and intellectual property policy; international technology, trade and competitiveness; technology resources (including manpower); standards and standardization of measurement; tax, antitrust and other governmental policies as they relate to technological development, commercialization, and competitiveness; civil aviation RD&D, including aeronautical research and technology programs of the National Aeronautics and Space Administration and research and development programs of the Federal Aviation Administration; materials RD&D and policy; oversight of surface transportation RD&D programs of Executive departments and agencies; and computer, communications, and information technology, and infrastructure, as appropriate.

(f) ***Subcommittee on Space.***—Legislation, general and special oversight and all other matters relating to the National Aeronautics and Space Administration (except aeronautical research and technology); space commercialization, including the commercial space activities relating to the Department of Transportation and the Department of Commerce; outer space, including exploration and control thereof; the National Space Council; space applications, space communications and related matters; and research and development of earth observing systems.

Referral of Legislation

27. All legislation and other matters referred to the committee shall be referred to all subcommittees of appropriate jurisdiction within two weeks unless, by a majority vote of the majority Members of the full committee, consideration is to be by the full committee. Subcommittee chairmen may make requests for referral of specific matters to their subcommittee within the two week period if they believe subcommittee jurisdictions so warrant.

Ex Officio Members

28. The Chairman and ranking minority Member shall serve as ex officio Members of all subcommittees and shall have the right to vote and be counted as part of the quorum on all matters before the subcommittee.

Procedures

29. No subcommittee shall meet for markup or approval when any other subcommittee of the committee is meeting to consider any measure or matter for markup or approval.

30. Each subcommittee is authorized to meet, hold hearings, receive evidence, and report to the committee on all matters referred to it. Each subcommittee shall conduct legislative and general oversight, inquiries for the future and forecasting, and budget impact

studies on matters within their respective jurisdictions. Subcommittee chairmen shall set meeting dates after consultation with the Chairman and other subcommittee chairmen with a view toward avoiding simultaneous scheduling of committee and subcommittee meetings or hearings wherever possible.

31. Any Member of the committee may have the privilege of sitting with any subcommittee during its hearings or deliberations and may participate in such hearings or deliberations, but no such Member who is not a member of the subcommittee shall vote on any matter before such subcommittee, except as provided in Rule 28.

32. During any subcommittee proceeding for markup or approval, a rollcall vote may be had at the request of one or more Members of that subcommittee.

Power to Sit and Act; Subpoena Power

*33. Rule XI 2(m) of the Rules of the House of Representatives is hereby incorporated by reference (power to sit and act; subpoena power).

National Security Information

*34. All national security information bearing a classification of secret or higher which has been received by the committee or a subcommittee shall be deemed to have received in Executive Session and shall be given appropriate safekeeping. The Chairman of the full committee may establish such regulations and procedures as in his judgment are necessary to safeguard classified information under the control of the committee. Such procedures shall, however, ensure access to this information by any Member of the committee, or any other Member of the House of Representatives who has requested the opportunity to review such material.

Sensitive or Confidential Information Received Pursuant to Subpoena

*35. Unless otherwise determined by the committee or subcommittee, certain information received by the committee or subcommittee pursuant to a subpoena not made part of the record at an open hearing shall be deemed to have been received in Executive Session when the Chairman of the full committee, in his judgment, deems that in view of all the circumstances, such as the sensitivity of the information or the confidential nature of the information, such action is appropriate.

REPORTS

Substance of Legislative Reports

36. The report of the committee on a measure which has been approved by the committee shall include the following, to be provided by the committee:

(A) the oversight findings and recommendations required pursuant to Rule X 2(b)(1) of the Rules of the House of Representatives, separately set out and identified [Rule XI 2(l)(3)(A)]:

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* Indicates rules applicable to subcommittees.

(B) the statement required by section 308(a) of the Congressional Budget Act of 1974, separately set out and identified, if the measure provides new budget authority or new or increased tax expenditures [Rule XI 2(1)(3)(B)];

(C) a detailed, analytical statement as to whether that enactment of such bill or joint resolution into law may have an inflationary impact on the national economy [Rule XI 2(1)(4)];

(D) with respect to each rollcall vote on a motion to report such a bill or resolution, the total number of votes cast for and the total number of votes cast against the reporting of such bill or resolution, [Rule XI 2(1)(2)(B)];

(E) the estimate and comparison prepared by the committee under Rule XIII 7(a) of the Rules of the House of Representatives, unless the estimate and comparison prepared by the Director of the Congressional Budget Office prepared under subdivision (B) of Rule 36 has been timely submitted prior to the filing of the report and included in the report [Rule XIII 7]; and

(F) in the case of a bill or joint resolution which repeals or amends any statute or part thereof, the text of the statute or part thereof which is proposed to be repealed, and a comparative print of that part of the bill or joint resolution making the amendment and of the statute or part thereof proposed to be amended, [Rule XIII 3].

37. (a) The report of the committee on a measure which has been approved by the committee shall further include the following, to be provided by sources other than the committee:

(A) the estimate and comparison prepared by the Director of the Congressional Budget Office required under section 403 of the Congressional Budget Act of 1974, separately set out and identified, whenever the Director (if timely, and submitted prior to the filing of the report) has submitted such estimate and comparison of the committee, [Rule XI 2(1)(3)(C);

(B) a summary of the oversight findings and recommendations made by the Committee on Government Operations under Rule X 2(b)(2) of the Rules of the House of Representatives, separately set out and identified, [Rule XI 2(1)(3)(D)].

(b) Notwithstanding the foregoing sections of this rule, if the committee has not received prior to the filing of the report the material required under subdivisions (A) and (B) of this rule, then it shall include a statement to that effect in the report on the measure.

Minority and Additional Views

38. If, at the time of approval of any measure or matter by the committee, any Member of the committee gives notice of intention to file supplemental, minority, or additional views, that Member shall be entitled to not less than 3 calendar days (excluding Saturdays, Sundays, and legal holidays) in which to file such views, in writing and signed by that Member, with the clerk of the committee. All such views so filed by one or more Members of the committee shall be included within, and shall be a part of, the report filed by the committee with respect to that measure or matter. The report of the committee upon that measure or matter shall be

printed in a single volume which shall include all supplemental, minority, or additional views, which have been submitted by the time of the filing of the report, and shall bear upon its cover a recital that any such supplemental, minority, or additional views (and any material submitted under subdivisions (A) and (B) of Rule 37) are included as part of the report. However, this rule does not preclude (1) the immediate filing or printing of a committee report unless timely request for the opportunity to file supplemental, minority, or additional views has been made as provided by this subparagraph or (2) the filing by the committee of any supplemental report upon any measure or matter which may be required for the correction of any technical error in a previous report made by that committee upon that measure or matter.

39. The Chairman of the committee or subcommittee, as appropriate, shall advise Members of the day and hour when the time for submitting views relative to any given report elapses. No supplemental, minority, or additional views shall be accepted for inclusion in the report if submitted after the announced time has elapsed unless the Chairman of the committee or subcommittee, as appropriate decides to extend the time for submission of views beyond 3 days, in which case he shall communicate such fact to Members, including the revised day and hour for submissions to be received, without delay.

Consideration of Subcommittee Reports

40. Reports and recommendations of a subcommittee shall not be considered by the full committee until after the intervention of three calendar days, excluding Saturdays, Sundays and legal holidays, from the time the report is submitted and printed hearings thereon shall be made available, if feasible, to the Members, except that this rule may be waived at the discretion of the Chairman.

Timing and Filing of Committee Reports

41. It shall be the duty of the Chairman to report or cause to be reported promptly to the House any measure approved by the committee and to take or cause to be taken the necessary steps to bring the matter to a vote.

42. The report of the committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by the majority of the Members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the Chairman of the committee notice of the filing of that request.

43. Any committee or subcommittee report published by the committee shall follow the same procedures for its approval, including the opportunity to submit views, as is followed in the case of a report accompanying a bill or resolution which has been approved by the committee.

MEDIA COVERAGE

*44. The committee may permit, by majority vote, hearings or meetings which are open to the public to be covered in whole or in

part by television, radio and still photography—or by any such methods of coverage—in accordance with Rule XI (3) of the Rules of the House of Representatives; *provided,* that the Chairman shall determine, in his or her discretion, the number of television and still cameras permitted in a hearing or meeting room.

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* Indicates rules applicable to subcommittees.